

STATE MS - DESOTO CO.

2088-2300.0-00028.01

APR 2 2 53 PM '98

BK 331 PG 147
W.E. DAVIS CH. CLK.

Prepared by:
Austin Law Firm
316 West Commerce St.
P.O. Box 567
Hernando, MS 38632
(601) 429-7888

EASEMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, John M. M. Caldwell and wife, Lee Caldwell grant to Nesbit Water Association, Inc. a non-exclusive permanent easement over the land in DeSoto County, Mississippi described as part of Section 23, Township 2 South, Range 8 West, and being a strip of land 20 feet in width and parallel to the grantor's North property line, Starlanding Road, more particularly described as follows:

Part of Section 14 and 23; Township 2 South; Range 8 West, in DeSoto County, Mississippi and being more particularly described as follows:

Beginning at a point in the center line of Gwynn Road and Starlanding Road, said point being a P.K. nail being the northeast corner of Section 23; thence South 89 degrees, 14' 52" West, a distance of 2781.41 feet to the point of beginning of this property; thence South 00 degrees, 39' 51" West a distance of 461.12 feet to an iron pin; thence North 74 degrees 41' 43" West, a distance of 134.40 feet to an iron pin; thence north 00 degrees 39' 51" east, a distance of 423.93 feet to a point on the North line of Section 23, and the South line of Section 14; thence North 00 degrees 39' 51" East a distance of 82.07 feet to an iron pin, 40.00 feet South of the centerline of Starlanding Road; thence South 74 degrees 41' 43 " East, a distance of 134.40 feet to an iron pin; thence South 00 degrees 39' 51" West, a distance of 44.88 feet to the point of beginning. Containing 1.51 acres. As per survey prepared by Tidwell Survey Company and dated August 3, 1987. Being the same property conveyed to the Grantor herein by virtue of Warranty Deed dated September 3, 1982, of record in Deed Book 161, at Page 339, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

Contains 1.51 acres, more or less.

There shall also be a 20 foot construction easement adjacent to the 20 foot permanent easement. The 20 foot construction easement shall expire and become null and void after the construction of this water line or within three years, whichever is sooner.

We fully understand that we have the right to receive just compensation for the use of real property herein described based on an appraisal of said property. We hereby waive our right to just compensation and donate the use of real property herein described to Nesbit Water Association, Inc. We further understand that we have the right to request that a fair market value appraisal of the property be made and we hereby waive that right.

CALDWELL EAS

Northwest Quarter

Nesbit Water Association, Inc. will be required to rebuild or repair any fences damaged or removed during the construction or maintenance of its water lines.

WITNESS OUR SIGNATURES this the 16 day of March, 1998.

John M. M. Caldwell, Sr.
JOHN M. M. CALDWELL
Lee Caldwell
LEE CALDWELL

STATE OF MISSISSIPPI
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for said County and State, the within named, JOHN M. M. CALDWELL, who acknowledged that he signed and delivered the above and foregoing instrument on the day and year therein mentioned.

Given under my hand and official seal of office, this the 16 day of March, 1998

Barbara Leslea Brant
NOTARY PUBLIC

My Commission Expires:

March 11, 2002

STATE OF MISSISSIPPI
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for said County and State, the within named, LEE CALDWELL, who acknowledged that she signed and delivered the above and foregoing instrument on the day and year therein mentioned.

Given under my hand and official seal of office, this the 16 day of March, 1998.

Barbara Leslea Brant
NOTARY PUBLIC

My Commission Expires:

March 11, 2002

GRANTORS ADDRESS: 1583 Starlandia
GRANTORS PHONE NUMBER: Business - 342-4945
Home - 429-1424

GRANTEES ADDRESS: DeSoto County Courthouse, Hernando, Miss.
GRANTEES PHONE NUMBER: Business - (601) 429-5011